

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RONALD QUALLS,
Petitioner

v.

LOIS RUSSO,
Respondent

C.A. No. 05-10888-NMG

ED
OFFICE
IN CLERK

2006 SEP 28 P 2:14

U.S. DISTRI.
RICT O.

**PETITIONER'S AFFIDAVIT IN SUPPORT OF HIS MOTION FOR
LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS**

I, Ronald Qualls, being duly sworn, do hereby state under the pains and penalties of perjury that, because of indigence, I cannot prepay the docket fees of my appeal from the denial of my Petition for Writ of Habeas Corpus. I believe I am entitled to redress. I further state under the pains and penalties of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)



Ronald Qualls, pro se
S.B.C.C.
P.O. Box 8000
Shirley, MA 01464

Dated: September 21, 2006

My issues on appeal are that the District Court erred in denying my Petition for Writ of Habeas Corpus in that admission of hearsay statements during my trial in state court violated my right to confrontation guaranteed by the Sixth Amendment to the United States Constitution. See Crawford v. Washington, 541 U.S. 36 (2004); White v. Illinois, 502 U.S. 346 (1992); Idaho v. Wright, 497 U.S. 805 (1990).

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past twelve months. Adjust any amount that was received weekly, biweekly, quarterly, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount		Amount expected next month	
	You	Spouse	You	Spouse
Employment	0	0	0	0
Self-employment	0	0	0	0
Income from Property (such as rental income)	0	0	0	0
Interest and Dividends	0	0	0	0
Gifts	0	0	0	0
Alimony	0	0	0	0
Child support	0	0	0	0
Retirement (such as social security, etc.)	0	0	0	0
Disability	0	0	0	0
Unemployment payments	0	0	0	0
Public assistance	0	0	0	0
Other (specify)	0	0	0	0
Total monthly income	0	0	0	0

2. List your employment history, most recent employer first (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
none			

3. List your spouse's employment history, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
none			

4. How much cash do you and your spouse have? \$

Below, state any money you or your spouse have in any bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
none			

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified copy of each account.

5. List the assets, and their values, which you or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	(Value)	Other real estate	(Value)	Motor vehicle	(Value)
<u>none</u>		<u>none</u>		<u>none</u>	

6. State every person, business, or organization owing you or your spouse money and the amount owed.

none

7. State the persons who rely on you or your spouse for support.

none

8. Estimate the average monthly expenses of you and your family.

none

9. Do you expect any major changes in your monthly income or expenses or in your assets or liabilities during the next twelve months?

No

10. Have you paid - or will you be paying - an attorney any money for services in connection with this case, including the completion of this form?

Yes

If yes, how much?

\$20,000.00 to file Petition for Writ of Habeas Corpus in District Court. That amount was not for representation on appeal. The money was provided by a relative.

If yes, state the attorney's name, address and telephone number.

Bradford Bailey; Denner O;Malley LLP; 4 Longfellow Place; 35th Floor; Boston, MA 02114. (617) 227-2800

11. Have you paid - or will you be paying - anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

No

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I am presently incarcerated and serving a life sentence. I am unemployed and have no income or property. I live solely on the occasional receipt of minimal funds from my family.

13. State the address of you legal residence.

Souza Baranowski Correctional Center; P.O. Box 8000; Shirley, MA 01464

Your daytime phone number none

Your age 34 Your years of schooling 12

Your social security number 029-56-7279

CERTIFICATE OF SERVICE

I, Ronald Qualls, do hereby certify that I have served a true copy of the attached Petitioner's Motion for Leave to Proceed on Appeal in Forma Pauperis, along with the required affidavit, upon counsel for the Respondent. Service was completed by mailing said copies, first class, to: Maura D. McLaughlin; Assistant Attorney General: Criminal Bureau; One Ashburton Place; Boston, MA 02108.

Respectfully submitted,



Ronald Qualls, pro se
S.B.C.C.
P.O. Box 8000
Shirley, MA 01464

Dated: September 21, 2006

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction Report**

Date : 20060926 15:07

Commit# : W55388
Name : QUALLS, RONALD, .
Inst : SOUZA-BARANOWSKI CORRECTIONAL
Block : N2
Cell/Bed : 06 /A

SOUZA-BARANOWSKI CORRECTIONAL

Statement From 20060101

To 20060926

Page: 1

FILED
CLERK'S OFFICE
SEP 28 P 2:14
U.S. DISTRICT COURT
DISTRICT OF MASS.

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Total Transaction before this Period :						\$70,206.26	\$69,874.38	\$104.05	\$104.05
20060106 22:30	CN - Canteen	5919694		SBCC	~Canteen Date : 20060106	\$0.00	\$34.48	\$0.00	\$0.00
20060113 22:30	CN - Canteen	5957029		SBCC	~Canteen Date : 20060113	\$0.00	\$27.85	\$0.00	\$0.00
20060119 16:40	IS - Interest	5987162		SBCC		\$1.57	\$0.00	\$0.00	\$0.00
20060120 13:50	ML - Mail	6003938	1180	SBCC	~KARLA JAMES PER-CK	\$75.00	\$0.00	\$0.00	\$0.00
20060120 13:50	MA - Maintenance and Administration	6003941		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20060120 22:30	CN - Canteen	6005256		SBCC	~Canteen Date : 20060120	\$0.00	\$45.95	\$0.00	\$0.00
20060126 09:27	ML - Mail	6030330	3518	SBCC	~BARBARA QUALLS PER-CK	\$100.00	\$0.00	\$0.00	\$0.00
20060127 22:30	CN - Canteen	6037718		SBCC	~Canteen Date : 20060127	\$0.00	\$37.02	\$0.00	\$0.00
20060201 09:43	ML - Mail	6051276		SBCC	~LISA QUALLS	\$100.00	\$0.00	\$0.00	\$0.00
20060201 09:43	MA - Maintenance and Administration	6051278		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20060202 10:05	ML - Mail	6064967		SBCC	~TYRONE GIBSON	\$200.00	\$0.00	\$0.00	\$0.00
20060203 22:30	CN - Canteen	6074358		SBCC	~Canteen Date : 20060203	\$0.00	\$43.88	\$0.00	\$0.00
20060209 13:00	EX - External Disbursement	6107520	30390	SBCC	~PHONE BILL~YVETTE QUALLS	\$0.00	\$100.00	\$0.00	\$0.00
20060209 13:26	IC - Transfer from Inmate to Club A/c	6107645		SBCC	~PHOTO - Z13~PHOTO - Z13	\$0.00	\$4.50	\$0.00	\$0.00
20060210 22:30	CN - Canteen	6114886		SBCC	~Canteen Date : 20060210	\$0.00	\$46.87	\$0.00	\$0.00
20060216 16:54	IS - Interest	6148553		SBCC		\$1.64	\$0.00	\$0.00	\$0.00
20060217 22:30	CN - Canteen	6166526		SBCC	~Canteen Date : 20060217	\$0.00	\$46.27	\$0.00	\$0.00
20060224 22:30	CN - Canteen	6199299		SBCC	~Canteen Date : 20060224	\$0.00	\$49.41	\$0.00	\$0.00
20060301 16:55	IS - Interest	6219652		SBCC		\$2.37	\$0.00	\$0.00	\$0.00
20060303 09:37	ML - Mail	6249654		SBCC	~LISA QUALLS	\$600.00	\$0.00	\$0.00	\$0.00
20060303 09:37	MA - Maintenance and Administration	6249656		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20060303 22:30	CN - Canteen	6252409		SBCC	~Canteen Date : 20060303	\$0.00	\$49.74	\$0.00	\$0.00
20060310 22:30	CN - Canteen	6291778		SBCC	~Canteen Date : 20060310	\$0.00	\$49.88	\$0.00	\$0.00
20060317 22:30	CN - Canteen	6328591		SBCC	~Canteen Date : 20060317	\$0.00	\$46.77	\$0.00	\$0.00
20060324 22:30	CN - Canteen	6361983		SBCC	~Canteen Date : 20060324	\$0.00	\$38.09	\$0.00	\$0.00
20060331 22:30	CN - Canteen	6394424		SBCC	~Canteen Date : 20060331	\$0.00	\$49.92	\$0.00	\$0.00
20060406 16:49	IS - Interest	6433790		SBCC		\$4.59	\$0.00	\$0.00	\$0.00
20060407 22:30	CN - Canteen	6453723		SBCC	~Canteen Date : 20060407	\$0.00	\$49.18	\$0.00	\$0.00
20060412 10:57	ML - Mail	6470731	1199	SBCC	~KARLA JAMES PER-CK	\$50.00	\$0.00	\$0.00	\$0.00
20060412 10:57	MA - Maintenance and Administration	6470734		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction Report**

Date : 20060926 15:07

Commit# : W55388

SOUZA-BARANOWSKI CORRECTIONAL

Page: 2

Name : QUALLS, RONALD, .

Statement From 20060101

Inst : SOUZA-BARANOWSKI CORRECTIONAL

To 20060926

Block : N2

Cell/Bed : 06 /A

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20060414 14:27	ML - Mail	6489699	3600	SBCC	~barbara qualls	\$100.00	\$0.00	\$0.00	\$0.00
20060414 22:30	CN - Canteen	6490835		SBCC	~Canteen Date : 20060414	\$0.00	\$47.22	\$0.00	\$0.00
20060421 22:30	CN - Canteen	6523781		SBCC	~Canteen Date : 20060421	\$0.00	\$49.71	\$0.00	\$0.00
20060424 11:31	EX - External Disbursement	6526800	31591	SBCC	~PHONE BILL~CHRISTENE MORRIS	\$0.00	\$60.00	\$0.00	\$0.00
20060426 14:01	EX - External Disbursement	6538740	31646	SBCC	~DAUGHTER~KRISTENE HAYWOOD	\$0.00	\$60.00	\$0.00	\$0.00
20060428 22:30	CN - Canteen	6557095		SBCC	~Canteen Date : 20060428	\$0.00	\$49.59	\$0.00	\$0.00
20060502 09:27	ML - Mail	6567584		SBCC	~LISA WARD QUALLS	\$150.00	\$0.00	\$0.00	\$0.00
20060502 09:27	MA - Maintenance and Administration	6567586		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20060504 16:50	IS - Interest	6594495		SBCC		\$4.12	\$0.00	\$0.00	\$0.00
20060505 22:30	CN - Canteen	6614561		SBCC	~Canteen Date : 20060505	\$0.00	\$49.33	\$0.00	\$0.00
20060511 14:00	IC - Transfer from Inmate to Club A/c	6645970		SBCC	~photos~PHOTO - Z13~PHOTO - Z13	\$0.00	\$4.50	\$0.00	\$0.00
20060512 22:30	CN - Canteen	6652513		SBCC	~Canteen Date : 20060512	\$0.00	\$48.86	\$0.00	\$0.00
20060517 10:19	ML - Mail	6667176		SBCC	~331 BOLIVA ST	\$100.00	\$0.00	\$0.00	\$0.00
20060517 10:19	ML - Mail	6667182	1210	SBCC	~KARLA JAMES PER-CK	\$50.00	\$0.00	\$0.00	\$0.00
20060519 22:30	CN - Canteen	6686554		SBCC	~Canteen Date : 20060519	\$0.00	\$45.66	\$0.00	\$0.00
20060525 22:30	CN - Canteen	6714257		SBCC	~Canteen Date : 20060525	\$0.00	\$48.21	\$0.00	\$0.00
20060605 10:42	CN - Canteen	6756180		SBCC	~Canteen Date : 20060602	\$0.00	\$48.47	\$0.00	\$0.00
20060606 17:01	IS - Interest	6769462		SBCC		\$4.20	\$0.00	\$0.00	\$0.00
20060609 22:30	CN - Canteen	6809230		SBCC	~Canteen Date : 20060609	\$0.00	\$48.91	\$0.00	\$0.00
20060616 22:30	CN - Canteen	6846022		SBCC	~Canteen Date : 20060616	\$0.00	\$34.04	\$0.00	\$0.00
20060619 10:20	ML - Mail	6847961	3670	SBCC	~BARBARA QUALLS PER-CK	\$50.00	\$0.00	\$0.00	\$0.00
20060619 10:20	MA - Maintenance and Administration	6847964		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20060622 13:00	IC - Transfer from Inmate to Club A/c	6873059		SBCC	~PHOTO - Z13~PHOTO - Z13	\$0.00	\$4.50	\$0.00	\$0.00
20060623 22:30	CN - Canteen	6879399		SBCC	~Canteen Date : 20060623	\$0.00	\$37.27	\$0.00	\$0.00
20060630 22:30	CN - Canteen	6911450		SBCC	~Canteen Date : 20060630	\$0.00	\$37.57	\$0.00	\$0.00
20060707 22:30	CN - Canteen	6950371		SBCC	~Canteen Date : 20060707	\$0.00	\$26.49	\$0.00	\$0.00
20060711 16:47	IS - Interest	6966876		SBCC		\$3.66	\$0.00	\$0.00	\$0.00
20060714 22:30	CN - Canteen	7005277		SBCC	~Canteen Date : 20060714	\$0.00	\$45.88	\$0.00	\$0.00
20060717 11:49	ML - Mail	7008509		SBCC	~L QUALLS	\$50.00	\$0.00	\$0.00	\$0.00
20060717 11:49	MA - Maintenance and Administration	7008511		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20060719 10:01	ML - Mail	7019072		SBCC	~TYRONE GIBSON	\$200.00	\$0.00	\$0.00	\$0.00

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction Report**

Date : 20060926 15:07

Page : 3

Commit# : W55388

SOUZA-BARANOWSKI CORRECTIONAL

Name : QUALLS, RONALD, .

Statement From 20060101

Inst : SOUZA-BARANOWSKI CORRECTIONAL

To 20060926

Block : N2

Cell/Bed : 06 /A

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20060721 22:30	CN - Canteen	7038976		SBCC	~Canteen Date : 20060721	\$0.00	\$38.20	\$0.00	\$0.00
20060728 10:21	EX - External Disbursement	7068658	33104	SBCC	~BILLS-YVETTE QUALLS	\$0.00	\$200.00	\$0.00	\$0.00
20060728 22:30	CN - Canteen	7070923		SBCC	~Canteen Date : 20060728	\$0.00	\$36.58	\$0.00	\$0.00
20060801 16:44	IS - Interest	7084146		SBCC		\$3.49	\$0.00	\$0.00	\$0.00
20060802 12:02	ML - Mail	7102161	865	SBCC	~DELORES QUALLS PER-CK	\$50.00	\$0.00	\$0.00	\$0.00
20060802 12:02	MA - Maintenance and Administration	7102164		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20060804 22:30	CN - Canteen	7122758		SBCC	~Canteen Date : 20060804	\$0.00	\$48.97	\$0.00	\$0.00
20060811 22:30	CN - Canteen	7161674		SBCC	~Canteen Date : 20060811	\$0.00	\$45.99	\$0.00	\$0.00
20060814 10:57	ML - Mail	7164746		SBCC	~YVETTE QUALLS	\$200.00	\$0.00	\$0.00	\$0.00
20060818 22:30	CN - Canteen	7195748		SBCC	~Canteen Date : 20060818	\$0.00	\$29.80	\$0.00	\$0.00
20060825 22:30	CN - Canteen	7227584		SBCC	~Canteen Date : 20060825	\$0.00	\$36.08	\$0.00	\$0.00
20060829 14:09	IC - Transfer from Inmate to Club A/c	7236012		SBCC	~BA/RO NIK/RUN SW/SH SW/PT-KCN WASH ACCOUNT - Z5-KCN WASH ACCOUNT - Z5	\$0.00	\$97.63	\$0.00	\$0.00
20060901 22:30	CN - Canteen	7262085		SBCC	~Canteen Date : 20060901	\$0.00	\$41.10	\$0.00	\$0.00
20060905 16:52	IS - Interest	7273723		SBCC		\$3.24	\$0.00	\$0.00	\$0.00
20060908 22:30	CN - Canteen	7314645		SBCC	~Canteen Date : 20060908	\$0.00	\$44.89	\$0.00	\$0.00
20060915 22:30	CN - Canteen	7351520		SBCC	~Canteen Date : 20060915	\$0.00	\$25.69	\$0.00	\$0.00
20060918 13:46	ML - Mail	7355932		SBCC	~YVETTE QUILLES	\$100.00	\$0.00	\$0.00	\$0.00
20060918 13:46	MA - Maintenance and Administration	7355934		SBCC	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20060918 14:12	ML - Mail	7356217		SBCC	~PAUL	\$100.00	\$0.00	\$0.00	\$0.00
20060922 22:30	CN - Canteen	7386088		SBCC	~Canteen Date : 20060922	\$0.00	\$43.89	\$0.00	\$0.00
						\$2,303.88	\$2,163.84	\$0.00	\$0.00

Balance as of ending date :

Personal
\$471.92Savings
\$0.00

Current Balances :

Personal	Savings	Freeze	Loan	Restitution	Sentence
\$471.92	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00